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CENTRAL FAX CENTER****APR 25 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: D.M. Shackelford Examiner: Benjamin Lanier  
Serial No.: 09/409,617 Group Art Unit: 2132  
Filed: October 1, 1999 Docket No.: TUC919990029US1  
TITLE: METHOD, SYSTEM, AND PROGRAM FOR DISTRIBUTING SOFTWARE  
BETWEEN COMPUTER SYSTEMS

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being transmitted by facsimile to Benjamin Lanier of the U.S. Patent and Trademark Office at 703-872-9306 on April 25, 2005.

David W. Victor

**RESPONSE TO FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the final office action dated February 24, 2005 ("Final Office Action"), in which the Examiner rejected pending claims 1-40 for failing to comply with the written description requirement (35 U.S.C. §112, par. 1) and as obvious (35 U.S.C. §103) over cited art. Applicants discussed with the Examiner an amendment to the claims to overcome the written description rejection. The Examiner said he would enter this amendment to remove this rejection. The Examiner declined to grant a phone interview to discuss the prior art rejection, and requested that Applicants submit their arguments in writing for consideration. Applicants submit that all pending claims are patentable over the cited art and in condition for allowance for the reasons discussed herein.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2.

**Remarks/Arguments** begin on page 13.

**KONRAD RAYNES & VICTOR, LLP**

315 S. Beverly Drive, Suite 210  
Beverly Hills, California 90212

Telephone: (310) 556-7983  
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**FAX COVER SHEET**

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APR 25 2005

**PLEASE DELIVER THIS FACSIMILE  
TO EXAMINER BENJAMIN E. LANIER**

TO: Commissioner for Patents  
Attn: Examiner Benjamin E. Lanier  
Group Art Unit 2132  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: David W. Victor

OUR REF: 0018.0056  
TELEPHONE: 310-556-7983

Total pages, including cover letter: 24

**PTO FAX NUMBER 1-703-872-9306**

If you do NOT receive all of the pages, please telephone us at 310/556-7983, or fax us at 310/556-7984.

Description of Documents Transmitted: TRANSMITTAL FOR AMENDMENT  
(+COPY); AMENDMENT

Applicant: D.M. Shackelford  
Serial No.: 09/409,617  
Filed: October 1, 1999  
Group Art Unit: 2132  
Docket No.: TU999029

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on  
April 25, 2005

By:   
Name: David W. Victor

FORM PTO-1083

PATENT  
TU999029  
0018.0056IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
D.M. Shackelford  
Serial No.: 09/409,817  
Filed: October 1, 1999  
For: METHOD, SYSTEM, AND PROGRAM  
FOR DISTRIBUTING SOFTWARE  
BETWEEN COMPUTER SYSTEMS

Examiner: Benjamin E. Lanler

Art Unit: 2132

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith in the above-identified application is an:

☒ Amendment 21 pages.  
☒ No additional fee required.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	40	MINUS	40	=	0	x	\$0	OR	x 18 \$0
INDEP CLAIMS	5	MINUS	5	=	0	x	\$0	OR	x 88 \$0
						+	\$0	OR	+ 300 \$
					TOTAL		\$0	OR	TOTAL \$ -0-

— Please charge Deposit Account No. 09-0449 the amount of \$\_\_\_ to cover the extension fee and also the amount of \$\_\_\_ to cover the claim fee. A duplicate copy of this sheet is enclosed.

☒ A Credit Card Authorization Form in the amount of \$110 to cover the extension fee is enclosed.

— A check in the amount of \$\_\_\_ to cover the filing fee is enclosed.

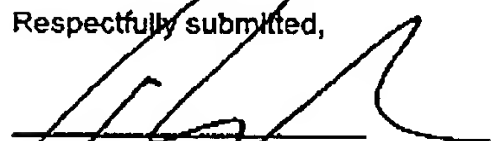
— A check in the amount of \$\_\_\_ to cover the petition fee is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No.09-0449. A duplicate of this sheet is enclosed.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

  
David W. Victor  
Registration No. 39,867  
KONRAD RAYNES & VICTOR, LLP  
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Dated: April 25, 2005

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U.S. Patent and Trademark Office at 703-872-9306 on April 25, 2005.

  
David W. Victor

4/25/05  
Date

FORM PTO-1083

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0018.0056IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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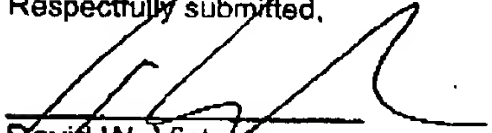
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TOTAL	40	MINUS	40	=	0	x	\$0	OR	x 18	\$0	
INDEP CLAIMS	5	MINUS	5	=	0	x	\$0	OR	x 88	\$0	
						+	\$0	OR	+ 300	\$	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					TOTAL		\$0	OR	TOTAL	\$ -0-	

— Please charge Deposit Account No. 09-0449 the amount of \$\_\_\_ to cover the extension fee and also the amount of \$\_\_\_ to cover the claim fee. A duplicate copy of this sheet is enclosed.  
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